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NOMINATION—FMC

HEARING

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

ON

NOMINATIONS

MARCH 8, 1990

DONALD R. QUARTEL, JR., TO BE A COMMISSIONER, FEDERAL MARITIME COMMISSION

Printed for the use of the
Committee on Commerce, Science, and Transportation

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NOMINATION—FMC

THURSDAY, MARCH 8, 1990

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 11:11 a.m., in room SR-253, Russell Senate Office Building, Hon. John B. Breaux presiding.

Staff members assigned to this hearing: Hal Creel, staff counsel and Ruth Johnson, minority professional staff member.

OPENING STATEMENT BY SENATOR BREAUX

Senator BREAUX. The Committee on Commerce, Science, and Transportation will please come to order.

This morning, our Committee is considering the nomination of Donald Robert Quartel, Jr., to be a Commissioner at the Federal Maritime Commission.

Mr. Quartel, we welcome you to the Committee this morning and look forward to hearing your testimony.

This is an exciting time to be coming to the Federal Maritime Commission. With the administration's review of the Shipping Act of 1984 almost complete and the final appointments to the Advisory Commission on Conferences and Ocean Shipping imminent, it will be interesting to see what effect that act has had on the Federal Maritime Commission and to find out what changes are needed to make the act work even better.

Also, the automation of the tariff filing system at the FMC will virtually revolutionize the way the Commission does business.

It is my understanding that the system will be on-line in the not so distant future, and I urge those responsible for implementing the system to continue to do so with deliberate speed.

We are pleased to introduce our first witness this morning, Mr. Quartel, and to have the junior Senator from the State of Florida, Connie Mack, our former colleague from the House.

Connie, we are delighted to have you present our nominee and any words you have to say we welcome.

STATEMENT OF HON. CONNIE MACK, U.S. SENATOR FROM FLORIDA

Senator MACK. First of all, thank you, Mr. Chairman, for giving me this opportunity to introduce Rob to the Committee. In a sense, he introduced me to Washington in 1982, after I won my first election. So it is really a pleasure for me to be able to introduce him to you.

Senator BREAUX. I am beginning to believe that Florida is taking over around here.

Senator MACK. Oh, we have a long way to go.

Rob is no newcomer to Washington, Mr. Chairman, or to government service. He has held positions in the Environmental Protection Agency, the Federal Energy Office, the Office of Management and Budget, and the White House during the Ford Administration.

In 1988, Rob served as Senior Policy Adviser to President Bush and was actively involved in the President's transition office.

Rob is President of D.R. Quartel, Jr., Incorporated, a company he founded in 1981, that specializes in the analysis and resolution of public policy issues affecting both the public and private sectors.

Rob possesses a broad background in regulatory practice and economic policy, particularly in the energy, environment, and transportation sectors. Rob's direct experience with international transportation clients and in-depth knowledge of maritime industry regulation, regulatory and economic issues, will make him an invaluable member of the Federal Maritime Commission.

He has a proven and successful record, and will be a tremendous asset to the administration.

So, again, it is with a great deal of pleasure that I introduce Rob Quartel to the Committee.

Senator BREAUX. Senator Mack, we appreciate your presenting this nominee. We are delighted to have your input.

You are excused, certainly, if you have other commitments that you would like to keep this morning. We thank you for being with us.

We want to recognize that our nominee's wife, Michela English, is in the audience, and their daughter, Eleanore, who is behaving very well. We are delighted to have both of them here also.

We are pleased to hear from you, sir, at this point.

Senator Pressler, do you have a statement?

OPENING STATEMENT BY SENATOR PRESSLER

Senator PRESSLER. Mr. Chairman, I am pleased to welcome Donald Quartel as a nominee to be a Federal Maritime Commissioner. The President has made a solid recommendation and I look forward to swift confirmation for Mr. Quartel.

As a member of the Federal Maritime Commission, Mr. Quartel, you will be responsible for regulating the waterborne foreign and domestic offshore commerce of the United States. You will play a major role in protecting against unauthorized waterborne commerce which assures that international trade involving the United States is open to all nations on fair and equitable terms.

I strongly support this nomination and look forward to working with Mr. Quartel as a member of the Federal Maritime Commission.

Senator BREAUX. Thank you Senator Pressler. I have a statement that the Chairman, Senator Hollings would like to have included in the record.

(The statement, biographical sketch, and questions and answers follow:)

Opening Statement by the Chairman

The purpose of this hearing before the full Committee today is to consider the nomination of Donald Robert Quartel, Jr. as a Federal Maritime Commissioner.

The Federal Maritime Commission, as an independent regulatory commission, plays a vital role in the trade of the United States. As the entity responsible for the regulation of the oceanborne transportation in the foreign commerce of the United States, the Commission is charged with ensuring that such trade is conducted fairly and that it is not burdened by non-market barriers to ocean shipping. The Commission is also responsible for regulating rates, tariffs and practices of ocean common carriers in the domestic offshore trades of the United States. I commend the Commission for the job it has done thus far, and I challenge the Commission to continue in its efforts.

I look forward to hearing Mr. Quartel's views on these important responsibilities of the FMC.

United States Senate

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

WASHINGTON, DC 20510-6125

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

1. BIOGRAPHICAL DATA

Name: QUARTEL (Last) DONALD (First) ROBERT ("ROB") JR (Middle)

Address: FLA 2917 CLUBVIEW DR ORLANDE, FL 32822 (Number, Street, City, State, Zip Code) SAME (Post Office Box)

DC 3828 CATHEDRAL AVE. NW WASHINGTON, DC 20016 SAME

2. Position to which nominated: COMMISSIONER, US FEDERAL MARITIME ADMIN Date of nomination: JAN 23 1990

3. Date of birth: APRIL 19, 1950 (Month, Day, Year) Place of birth: RICHMOND, VA

4. Marital status: MARRIED Full name of Spouse: MICHELA A ENGLISH

5. Names and ages of children: ELEANORE ENGLISH QUARTEL - 5½

MICHAEL WILLIAM QUARTEL - 2½

6. Education:

Institution	Dates attended	Degree received	Date of degree
RICE UNIVERSITY	1968-73	BA	BIOLOGY 1973
YALE UNIVERSITY, SCHOOL OF ORG'N & MANAGEMENT	1976-78	MPPM	PUBLIC MANAGEMENT 1978

7. Employment record — List all positions held since college, including the title or description of job, name of employer, location of work, and dates of inclusive employment.

From	To	Name of employer	Address	Type of work
1/82	PRESENT	PRESIDENT, D.R. QUARTEL, JR INC	8828 CATTEDRAL WASH, DC 20016	TRANS, REG'Y CONSULTING
6/80	1/82	VP, PARTNER CABOT CONSULTING GROUP	1828 L ST NW DC	REG'Y CONSULTING
10/79	6/80	DEP DIR FOR DOMESTIC POLICY GRG. BUSH FOR PRES	ALEXANDRIA, VA	PUBLIC POLICY DEVT
6/78	10/79	SELF EMP CONSULTANT TO DSI TERMINALS, INC	HOUSTON, TX	ENERGY, PUBL. POL. CONSULTING
11/76	6/78	GRAD SCHOOL @ YALE UNIV SOM		
* 2/77	8/77	SUMMER INTERN FLA GAS CO	WINTER PARK, FLA	ENERGY & MGT ANALYSIS
* 10/77	6/78	INTERN (PART TIME) SENATE MIN. LDR, CONNECTICUT	HARTFORD, CT	MGT. ANALYSIS

((CONTINUED))

8. Government experience — List any experience in or direct association with Federal, State, or local governments, including any advisory, consultative, honorary or other part-time service or positions.

CONSULTANT TO: US DOT - VARIOUS RAIL PROJECTS, PRIVATIZATION (85-88)

US DOJ - POLICE CORPS STUDY (83-84)

US D.O. ENERGY - ENERGY MANAGEMENT, CRISIS PLANNING, REG'Y ANALYSIS (80-82)

TRANSITION OFFICE CONTACT, US DOT (88-89)

US FED ENERGY OFC, FEA - ENERGY REGS, OIL & COAL CRISIS PLANNING; ENERGY DATA SYSTEMS (1973-75)

US EPA - STUDENT EMPL (1971-72); PROJECT OFCR (EFFLUENT GUIDELINES) (1973)

((MORE))

9. Political affiliations activities — List all memberships and offices held in or financial contributions and services rendered to all political parties or election committees during the last 10 years.

CONTRIBUTIONS TO FLA. REPUBLICAN CANDIDATES (83-PRESENT)

INCLUDING (ANTS ABOVE $50) MARTINEZ FOR GOV; FREY FOR GOV;

CROTTY FOR ST SEN; GOSTBLOE FOR ST. LEG; SCHWIKERT FOR ST LEG

DIRECT MAIL VENDOR SERVICES MANAGEMENT (UNDER CONTRACT TO DRG INC)

FOR CONG'L & SENATE CMPNS, INCLUDING TRIBLE, BARBOUR, NRCC (82)

POLICY CONSULTING SVCS TO SCHUCK FOR GOV (LOL, 1982); PRES BUSH

FOR SENATE (CT, 82)

ALT. PRECINCT COM'N, ORANGE CO REP. PARTY (FLA) (83-85)

REPUBLICAN CONGRESSIONAL NOMINEE, 11TH CD OF FLA (84)

QUESTION 7 (CONT)

12/76 - 11/76	ANSWER DESK COORDINATOR PRES FORD ELECTION CMPN	1828 L St WASD, DC	ISSUE, POLICY DAN T
9/75 - 11/76	ASSOCIATE FORD FOUNATION, U NOTRE DAME LAW CTR GRANT	DC	WRITING/RSCH
1/75 - 9/75	DEP DIR, PLANNING & MGT PRESIDENTIAL CLEMENCY BD THE WHITE HOUSE/OMB	DC	MGT PLNG
12/73 - 1/75	SPECIAL ASSISTANT FEDERAL ENERGY OFC; FEA	DC	POLICY, MGT, DATA SYSTEMS PLANNING
6/73 - 12/73	PROJECT OFCR US EPA	DC	PROJ MGT

QUESTION 8 (CONT)

DETAILED TO OMB / WHITE HOUSE TO PCB (ABOVE) (1975)

10. Memberships — List all memberships and offices held in professional, fraternal, scholarly, civic, charitable, and other organizations.

MEMBER, GREATER ORLANDO CHAMBER OF COMMERCE

MEMBER, U.S. CHAMBER

(FORMER MEMBER) NATIONAL PRESS CLUB

" CITRUS CLUB (ORLANDO, FL)

11. Honors and awards — List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievement.

FORD FND GRANT to STUDY VIETNAM GENERATION (1995)

EPA MERITORIOUS SVC AWARD (1978)

NROTC SCHOLARSHIP (68-70)

JR. ACHIEVEMENT SCHOLARSHIP, NAT'L MERIT FINALIST (1968)

EAGLE SCOUT, 2 PALMS (1965)

WHO'S WHO (YOUNG MEN, STUDENTS, EAST) (68-PRESENT)

12. Published writings — List the titles, publishers, and dates of books, articles, reports, or other published materials you have written.

1970 - Paper on Effects of MERCURY DISTRIBUTION IN FOOD CHAINS OF THE GALVESTON BAY COMPLEX, TX - NATIONAL SCIENCE FND SOS PROJECT

ANSWERS TO
QUESTIONS SUBMITTED BY THE SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION PRIOR TO THE NOMINATION HEARING OF DONALD R. QUARTEL, JR. TO THE FEDERAL MARITIME COMMISSION

1. What major issues do you see confronting the Federal Maritime Commission (FMC) as we enter the 1990s?

Support of the external review of the Shipping Act, as provided for in section 18 of the 1984 Act, is an important task facing the FMC. In September 1989 the Commission released its report covering those topics required in section 18. The Federal Trade Commission and the Department of Transportation have also released their reports, and I believe the Department of Justice is close to release as well. These reports will be presented to the Advisory Commission on Conferences in Ocean Shipping which is now in the process of formation. The Advisory Commission will address the central question of international liner shipping policy, that is, the conference system. The FMC should stand ready to work with the Advisory Commission in whatever capacity that Commission deems appropriate.

The development and implementation of an Automated Tariff Filing and Information System (ATFI) is clearly an important operating issue facing the Commission. An automated system should prove beneficial to all parties engaged in the liner shipping industry. The challenge of the transition from a paper intensive to a totally automated tariff filing system continues and I am confident that it will be met.

The FMC's enforcement program to ensure compliance with the

U.S. shipping laws and to ensure that an equitable environment exists in shipping is also important for our ocean commerce. The FMC has been vigorous in enforcing the shipping statutes and should continue to do so to the benefit of all parties that are willing to play by the rules.

Finally, I think it is fair to say that all of us in the maritime industry -- carriers, shippers, consumers, government alike -- will be looking with interest on transitional events in the international economic area. Integration of the European economic community in 1992, the impact of the disintegration of the old East European communist governments, and formation of new governments and market economies, and changes in the Soviet commercial maritime presence, will all have an impact of consequence on the markets in which our industry operates.

The Commission will have to pay close attention to the issues arising from these events and address them with its various regulatory provisions, including, of course, the controlled carrier provisions in the 1984 Act.

2. **Why do you want to become a Federal Maritime Commissioner?**

First, I have a strong personal interest in and high regard for public service and the individuals who choose that professional path, for whatever duration. In my briefings at the FMC, and in my professional activities, I have found a high standard of performance and commitment at all levels of the government service.

From a purely professional standpoint, I have a good deal of expertise and experience in transportation and regulatory issues, and am interested in seeing that experience put into practice in public service. The role of the maritime industry is frequently overlooked in the overall transportation picture; and the FMC plays a vital role in maintaining the health and competitive viability of the maritime industry. It is an industry, and the FMC is a Commission, in which my skills and experience should be of some use.

3. What skills or experience do you possess that you believe qualifies you to be an FMC Commissioner?

I have been involved with economic regulatory and public policy issues for a number of years, both as president of my own consulting firm, successfully representing a wide array of public and private clients; and, as a consultant to a number of government agencies. I have had the opportunity to deal with a variety of transportation sectors, both inside and outside the government and am recognized as having expertise in transportation issues. I also have extensive knowledge of the regulatory and economic issues facing the maritime industry. Following the last election, I was the President-elect's Transition Office contact to the Department of Transportation.

4. What goals do you hope to accomplish as a Commissioner at the FMC?

Together with my fellow Commissioners, I would hope to regulate the waterborne foreign and domestic offshore commerce of the United States in a manner that ensures that all U.S. interests involved in this commerce are treated fairly and equitably so that competition would be at its maximum levels.

I would also hope that the Commission continues to be effective in ensuring that U.S.-flag carriers are provided access to foreign cross trades and are not the victims of foreign governments or others that create conditions adversely affecting their operations in U.S. oceanborne trades.

5. What do you see as your role in formulating the policy of the FMC?

The Federal Maritime Commission is an independent regulatory body with jurisdiction over several shipping statutes. In administering these regulatory statutes, the Commission should make its decisions based upon the facts before it and the law applicable to those facts. To the extent that the Commission makes policy choices, these are more likely decisions on how to best use its limited resources. In this regard, I would expect that all Commissioners will attempt to move toward common goals for the agency.

6. Do you believe that the FMC can play a role in reversing the decline of the U.S. maritime industry? If so, how?

A principal role of the FMC is to maintain or create a level playing field in liner shipping for U.S. carriers, enabling them to compete more effectively. While the FMC does not have direct promotional responsibility for the U.S. merchant marine, it assists the industry and commerce by ensuring that the shipping statutes are properly enforced to guard against commercial malpractices that may adversely affect U.S. carriers competitively. Congress has given the FMC the tools to ensure that U.S. interests are protected in liner shipping against foreign government restrictions and protectionist practices. Specifically, the Foreign Shipping Practices Act of 1988, section 13(b)(5) of the 1984 Act, the controlled carrier provision (section 9) of the 1984 Act, and section 19 of the Merchant Marine Act, 1920, give the FMC extensive power to ensure fair practices in shipping. The FMC must continue to ensure that U.S. carriers are not disadvantaged in any manner in their operations.

7. **Do you believe that the FMC possesses sufficient statutory authority with which to address unfair foreign maritime practices?**

Yes. The Foreign Shipping Practices Act of 1988, section 19 of the Merchant Marine Act, 1920, and section 13(b)(5) of the 1984 Act, give the Commission a complete and diverse arsenal with which to address unfair foreign maritime practices. These provisions should be employed in ways which both preserve and enhance their current and future impact. When Commission actions are well targeted and well selected, they will best achieve Congress' goals in enacting such legislation. I might add here that I am prepared at any time to vote with other Commissioners for the imposition of a full range of penalties, depending on the severity of the violation.

In my briefings, I have become familiar with a bill pending in the House, H.R. 3198, that would update section 19 and conform it with the Foreign Shipping Practices Act of 1988. I commend this legislation to your attention because I believe that it will make section 19 even more efficient and effective.

STATEMENT OF DONALD R. QUARTEL, JR.

Mr. QUARTEL. Thank you.

My daughter is uncharacteristically quiet.

Thank you, Senator Mack. I appreciate very much your introducing me.

And thank you, Members of the Committee.

It is a pleasure to appear before you this morning.

I am very proud and honored to have been nominated by President Bush to serve as a Commissioner on the Federal Maritime Commission. If confirmed, I will do my best to meet the challenges of this position and to justify the confidence the President and the Senate will have shown in me.

Both my professional and educational background should be helpful in understanding and performing my duties as a Commissioner. A broad working knowledge of transportation issues and of the transportation industry itself; of the capabilities of and relationships between the public and private sectors; experience over a range of regulatory and public policy issues; and previous government service should allow me to bring to the job a regulatory and economic perspective that should be useful in approaching the diverse issues the Commission faces in protecting and encouraging American ocean transportation interests.

My experience includes some detailed knowledge of data policy and the use of information systems, and I expect that may prove useful in dealing with the issues that will arise during the implementation of the Commission's automated tariff filing and information system. I am told by the staff that this system is well on its way, and, given its importance to the ocean transportation industry and the FMC, I believe its implementation should be encouraged and expedited.

Although I have been involved with transportation issues for some time, I nonetheless continue to be bemused by the extent to which the general public, and, in fact, many in business and commerce, overlook the role and the importance of the maritime sector in the overall economic picture.

Over 95 percent of our overseas imports and exports move by water carriers. Moreover, the total value of U.S. imports and exports carried by liner vessels alone exceeded $240 billion for 1988.

The Federal Maritime Commission plays a pivotal role in regulating the carriers engaged in this trade and in insuring that the requirements of the various shipping statutes are met, and, of course, in seeing that American commerce continues unimpeded by transportation difficulties. It is with this knowledge that I look forward to working with and becoming involved in the decisions affecting this important industry.

Mr. Chairman, I will pay very close attention to the Committee's oft-repeated concern about the impact of various foreign government practices on our ocean transportation industry. The Foreign Shipping Practices Act of 1988, which originated in the Committee, is a very powerful tool and, used with predecessor authorities, it should enable us to successfully deal with unfair foreign maritime practices as they arise.

As a Commissioner, I will work with other members of the Commission in pursuit of an equitable trade environment for all involved in our ocean commerce.

In conclusion, I welcome the opportunity to serve my country as a Federal Maritime Commissioner, and I look forward very much to working with the Commission and with you and other Members of the Congress in resolving the issues the Commission faces in regulating this crucial industry.

Again, I appreciate the opportunity to be here and I would be pleased to answer any questions you may have.

Senator BREAUX. Thank you very much for your comments and for your presentation, Rob.

Let me just ask a more or less general question.

As we sit here right now, down at the White House, Secretary of Transportation Sam Skinner is announcing a major transportation policy statement and releasing it to the American public.

Do you have any thoughts in general as to what that policy may contain or what perhaps it should contain with regard to maritime transportation policy?

Mr. QUARTEL. I have no specific knowledge of the policy statement and have not been privy to the details of its planning. But the press reports this morning suggest that the document has a

short statement about the intention to increase the economic vitality of the maritime industry. I think that has to be the goal.

I understand that the Department is working on a complete review of all maritime policy, and I would assume that includes the regulatory regime of the Commission, as well as the economic and other factors that go into it. That is supposed to be released in early summer, as I understand it.

But, at a personal level, I think it is extremely important that they not only review maritime policy, but that, in concert with the Congress, they act to enhance the ability of the industry to compete.

Senator BREAUX. Well, we look forward to it. Obviously this would probably represent a good starting point for the Committee to consider what policy changes may be needed as we work our way into the 1990s.

As you are probably very much aware, the FMC has recently completed its report on the Shipping Act of 1984. Are you aware of any areas in that report that would indicate places that need to be considered for change, as far as our statutory authority is concerned?

Mr. QUARTEL. The review seemed not to have what I would call urgent demands for change, but it had several areas to which the Commission felt there should be some attention paid. One is, I recall, the review of certain regulatory practices with relationship to controlled carriers. I think that may be relatively important as we move toward some kind of maritime agreement with the Soviet Union.

I understand they are meeting at Kings Point today.

The FMC said on the economic side—and I think this is an important conclusion—that the Act had had no negative impact on the industry and that, in fact, certain things that had occurred under the Act had had a positive impact. I think that is an important conclusion as well.

Senator BREAUX. Do you feel it has had any effect on rates at all?

Mr. QUARTEL. My understanding is that it has had no negative impact on rates and that independent action has, in fact, increased competition in the industry in certain trades. I think that is an important conclusion, too.

Senator BREAUX. Here is another more or less general question.

We have seen improvement in the last 20 or 25 years in the technology dealing with the merchant transportation technology—better ships, more efficient ships, better engines, improvements in the diesel engines, in particular. Containerization certainly has revolutionized the shipping industry.

Do we see or do you feel we see any of those increased efficiencies being transferred to better rates, as far as the shipping public is concerned?

Mr. QUARTEL. Not having examined the detailed data, I think it is fair to say that it is a very competitive industry, as the industry itself acknowledges, and that, to the extent that there have been efficiencies, operating efficiencies, they tend to have to be passed through to the shipping public. Otherwise, they cannot compete

against others in a trade. That is a supposition that I think is probably correct.

A number of American companies have, in fact, increased their efficiencies significantly. The two majors have. They have paid attention to intermodal operations, which I think really can help there, too.

Senator BREAUX. Let me recognize Senator Pressler from South Dakota.

Do you have any comments or questions?

Senator PRESSLER. No thank you, Mr. Chairman. Again, I welcome the nominee and support him and wish him well in serving in this important role. I think this aspect of transportation policy is an extremely important one. I wish him well in his new duties.

Senator BREAUX. Thank you, Senator.

Let me ask one other question.

You mentioned the Soviets and the meetings up at Kings Point. We have had problems with U.S. flag vessels encountering difficulties with the Soviets concerning some of their cross-trading with third countries back in the 1970s.

Are you aware of any action that the Federal Maritime Commission might be able to take to address those types of difficulties?

Mr. QUARTEL. I don't know what is going to come out of the agreement, but I know that, in the past, Soviet competition has been an issue and concern in the industry. I think, basically, we have to wait to see what comes out of the agreement before we can speculate specifically on what we'll do.

But we do have, obviously, authority in the controlled carrier area, and I think it depends also in part on whether there is a treaty involved here. If there is a treaty, then you also have action in some detail as to what you would like to see done.

Senator BREAUX. One of the constant problems that we always are faced with from a Congressional standpoint is the very clear, heavy subsidization by foreign countries of their merchant marine fleets and, in addition to that, their unfair trade practices were allowing our goods to be shipped to many of their ports under conditions that are fair and free.

The FMC is one of our hopes in trying to get those practices corrected.

What do you see as the role of the FMC with regard to those problems?

Mr. QUARTEL. Well, I think it is very clear. We have a number of statutes that give us substantial authority in the area of ending unfair practices.

I know there has been a 301 action instigated and I think, depending again on the outcome of that, we may also have the capability to undertake action as a Commission if unfair practices are found that relate to the controlled carrier aspects and the subsidy aspects and all the rest. So I think there is a lot that we can do.

As I said in my testimony, I fully support the law and the Senate in its intention to see that unfair practices are ended. I think we do need a level playing field.

Senator BREAUX. I am glad to hear that because I think there is a sense of frustration in all of our trade practices, not only in the

maritime industry, but with many of our trading partners and indeed trading competitors, like Japan.

Members of Congress are constantly involved in suggesting new rules, new laws, new regulations to address the problems. Some would argue that there are sufficient rules and regulations on the books that are just not being aggressively implemented in a manner to take care of the problem.

So I think you would find that, particularly this Committee and I think probably most Members of the Senate, would want someone on the Commission who would be committed aggressively to using the tools that we have on the table now in order to correct these problems.

We don't need to keep giving you more and more tools. I think we need aggressively to use the tools that we have now to make sure that these practices are stopped. I think there is a real opportunity for the FMC in this area to do just that. We would certainly hope that that would be your approach to the job, as well.

Do you agree with that as a policy?

Mr. QUARTEL. Yes, I agree.

I think the Commission has been fairly successful in its application so far. I think you have to be well targeted in what you do. But I expect to be an advocate of a tough position on that issue.

Senator BREAUX. Well, we welcome you to the Federal Maritime Commission and we look forward to working with you.

I want you just to follow through with the attitude that I think you have exhibited today in some of your responses.

I am not certain when we are scheduled for a full Committee markup. But we will try to get something scheduled with the full Committee, the Chairman and the Ranking Member to try to report out your nomination just as quickly as we possibly can. There should be no problems.

I know that you have some fellow Commissioners who would like to see some more help over there, and we are going to try to get that done just as quickly as we possibly can.

Mr. QUARTEL. Thank you very much.

Senator BREAUX. With that, we will conclude this hearing. Thank you for being here. Thank you for your responses.

The Committee will be in recess until further call of the Chair.

[Whereupon, at 11:26 a.m., the Committee recessed, to reconvene upon the call of the Chair.]

28-170 (20)